



06-10-05

# 1723  
JFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/037,480-Conf. #5210	
	Filing Date	January 4, 2002	
	First Named Inventor	Gregor Cevc, et al.	
	Art Unit	1723	
	Examiner Name	A. M. Fortuna	
Total Number of Pages in This Submission	8 (excluding references)	Attorney Docket Number	56822 (47126)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Form PTO/SB/08 (2 pages); Copy of IDS Citations (38 references); Certificate of Express Mailing (1 page); and a Return Receipt Postcard.
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	EDWARDS & ANGELL, LLP		
Signature			
Printed name	Lisa Swiszc Hazzard		
Date	June 8, 2005	Reg. No.	44,368

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV654383619US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: June 8, 2005	Signature:  (Lakeisha Bryant)



<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/037,480-Conf. #5210
		Filing Date	January 4, 2002
		First Named Inventor	Gregor Cevc, et al.
		Examiner Name	A. M. Fortuna
		Art Unit	1723
<b>TOTAL AMOUNT OF PAYMENT</b>		Attorney Docket No.	56822 (47126)

**METHOD OF PAYMENT** (check all that apply)

☐ Check   ☐ Credit Card   ☐ Money Order   ☐ None   ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account   Deposit Account Number: 04-1105   Deposit Account Name: Edwards & Angell, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below   ☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17   ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims**   **Extra Claims**   **Fee (\$)**   **Fee Paid (\$)**   **Multiple Dependent Claims**

\_\_\_\_\_ - = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_   **Fee (\$)**   **Fee Paid (\$)**

**Indep. Claims**   **Extra Claims**   **Fee (\$)**   **Fee Paid (\$)**

\_\_\_\_\_ - = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____ / 50 _____ (round up to a whole number) x _____ = _____		

**4. OTHER FEE(S)**

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): <u>1806 Submission of an Information Disclosure Statement</u>	<u>180.00</u>

<b>SUBMITTED BY:</b>	
Signature	Registration No. <u>44,368</u> Telephone <u>(617) 439-4444</u>
Name (Print/Type) <u>Lisa Swiszczy Hazzard</u>	Date <u>June 8, 2005</u>

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Dated: June 8, 2005   Signature: Lakeisha Bryant (Lakeisha Bryant)



Docket No.: 56822 (47126)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: Gregor Cevc, et al.

Application No.: 10/037,480 - Conf. No.: 5210      Art Unit: 1723

Filed: January 4, 2002

Examiner: A. M. Fortuna

For: A METHOD FOR THE IMPROVEMENT OF TRANSPORT ACROSS  
ADAPTABLE SEMI-PERMEABLE BARRIERS

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the United States Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A copy of each reference on the PTO/SB/08 is attached.

06/13/2005 TL0111 00000006 041105 10037480

01 FC:1806 180.00 DA

Please charge our Deposit Account No. 04-1105 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 56822 (47126). A duplicate copy of this paper is enclosed.

Dated: June 8, 2005

Respectfully submitted,

By

Lisa Swiszczy Hazzard

Registration No.: 44,368

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Attorneys/Agents For Applicant



PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	10/037,480-Conf. #5210	
			Filing Date	January 4, 2002	
			First Named Inventor	Gregor Cevc, et al.	
			Art Unit	1723	
			Examiner Name	A. M. Fortuna	
Sheet	1	of	2	Attorney Docket Number	56822 (47126)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-6,835,392-B2	12-28-2004	Hsu, et al.	
	AB	US-6,562,370-B2	05-13-2003	Luo, et al.	
	AC	US-6,582,724-B2	06-24-2003	Hsu, et al.	
	AD	US-6,586,000-B2	07-01-2003	Luo, et al.	
	AE	US-6,645,520-B2	11-11-2003	Hsu, et al.	
	AF	US-2002/0048596	04-25-2002	Cevc	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	CA-2 067 754	03-05-1992	IDEA AG		
	BB	EP-0 995 435	04-26-2000	SENJU PHARMACEUTICAL CO., LTD.		
	BC	EP-0 382 716	01-28-1998	WARNER-LAMBERT CO.		
	BD	EP-0 355 095	08-04-1993	THE LIPOSOME COMPANY, INC.		
	BE	HU-0105400	05-29-2002	IDEA AG	English abstract corresponds to WO0044350	
	BF	HU-0104424	03-28-2002	IDEA AG	English abstract corresponds to WO0044350	
	BG	HU-9903363	03-28-2000	CEVC	English abstract corresponds to US2002/0048596	
	BH	WO-02/11683	02-14-2002	DOW PHARMACEUTICAL SCIENCES		
	BI	WO-02/07767	01-31-2002	ALCON UNIVERSAL LTD.		
	BJ	WO-01/12155	02-22-2001	LIPOCINE, INC.		
	BK	WO-00/50007	08-31-2000	LIPOCINE, INC.		
	BL	WO-00/44350	08-03-2000	IDEA AG		
	BM	WO-00/38653	07-06-2000	IDEA INNOVATIVE DERMALE APPLICATIONEN GMBH		
	BN	WO-00/25822	05-11-2000	John C. Grasela, et al		
	BO	WO-00/13684	03-16-2000	LOMA LINDA UNIVERSITY MEDICAL CENTER		
	BP	WO-98/07414	02-26-1998	RESEARCH TRIANGLE PHARMACEUTICALS LTD.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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PTO/SB/08a/b (08-03)  
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		Filing Date	January 4, 2002		
		First Named Inventor	Gregor Cevc, et al.		
		Art Unit	1723		
		Examiner Name	A. M. Fortuna		
Sheet	2	of	2	Attorney Docket Number	56822 (47126)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author ( in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Prof. Dr. K-U Benner, "Der Korper des Menschen", page 49 (1995).	
	CB	SERVA Feinbiochemica, Katalog, pages 201-202 (1986/1987).	
	CC	FLUKA Chemica-BioChemica, Katalog 16, pages 204, 830 (1988/1989).	
	CD	Louis F. Fieser, Mary Fieser, "Organische Chemie", page 1250 (1968).	
	CE	J. Roeding, "Visualisierungstechniken von vesikularen Systemen, Wechselwirkungen von Liposomen mit der Haut", Kurs 502 of APV, (May 14-16, 1990).	
	CF	Hans Schreier, "Liposomen - ein neuartiger Arzneistofftrager", Pharmazie in unserer Zeit, pages 97-108 (1982).	
	CG	D. Lichtenberg, "Solubilization of Phospholipids by Detergents Structural and Kinetic Aspects", Biochimica et Biophysica Acta, pages 285 - 304 (1983).	
	CH	Reviews on Biomembranes, Biochimica et Biophysica Acta, Vol. 415 No. 1, pages 29-79 (1975).	
	CI	M. L. Jackson, et al., Solubilization of Phosphatidylcholine Bilayers by Octyl Glucoside, Biochemistry, Vol. 21, pages 4576-4582 (1982).	
	CJ	P. K. Vinson, et al., "Vesicle-micelle transition of phosphatidylcholine and octyl glucoside elucidated by cryo-transmission electron microscopy", Biophysical Journal, Vol 56, pages 669-681 (1989).	
	CK	K. Edwards, et al., Effects of Triton X-100 on Sonicated Lecithin Vesicles, Langmuir, Vol. 5, pages 473-478 (1989).	
	CL	A. Brendzel, et al., Effects of Lipid-Soluble substances on the Thermotropic Properties of Liposome Filtration", Biochimica et Biophysica Acta, Vol. 601, pages 260 - 270 (1980).	
	CM	C. Beyer, "Mikroemulsionen", Pharmazie in unserer Zeit, pages 55-60 (1983).	
	CN	J. Lasch, et al., " Interactions of external lipids (lipid vesicles) with the skin", Journal of Liposome Research, Vol. 5, No. 3, pages 543-569 (1995).	
	CO	M. Berger, "Oral Insulin 1922-1992: The History of Continuous Ambition and Failure", Heinrich-Heine-University, Düsseldorf, Germany.	
	CP	G. Cevc, et al., "The skin: a pathway for systemic treatment with patches and lipid-base agent carriers", Adv. Drug Delivery Reviews, Vol. 18, pages 349-378 (1996).	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Application No. (if known): 10/037,480

Attorney Docket No.: 56822 (47126)

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on June 8, 2005  
Date



Signature

Lakeisha Bryant

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444  
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Information Disclosure Statement, including duplicate copy thereof;

Form PTO/SB/08 (2 pages);

Copy of IDS Citations (38 references).